

Ordinance No. BL2018-1442

An ordinance approving the acquisition of interests in a parcel of real property from four parties and approving a participation agreement, a license agreement, and an easement agreement, all between the Metropolitan Government and Uptown Property Holdings, LLC, and in connection with the development of the Nashville Yards project in downtown Nashville (Proposal No. 2019M-003AG-001).

WHEREAS, pursuant to the participation agreement (the “Participation Agreement”) attached to this ordinance as Exhibit 1, the Metropolitan Government proposes to participate with Uptown Property Holdings, LLC, (“UPH”) in the construction of certain proposed public infrastructure improvements (the “Public Infrastructure”) within and near the Nashville Yards development project (the “Project”); and,

WHEREAS, pursuant to the license agreement (the “License Agreement”) attached to this ordinance as Exhibit 2, the Metropolitan Government proposes to authorize UPH to use certain property beneath Broadway at Tenth Avenue North for recreation space, food and beverage uses, seating, events, and other lawful purposes in connection with the Project; and,

WHEREAS, pursuant to the quitclaim deeds (the “Deeds”) collectively attached to this ordinance as Exhibit 3, UPH, Nashville Electric Service, the YMCA of Middle Tennessee, and the State of Tennessee propose to convey their interest in the real property underlying the relevant portion of Tenth Avenue North to the Metropolitan Government; and,

WHEREAS, pursuant to the easement agreement (the “Easement Agreement”) attached to this ordinance as Exhibit 4, the Metropolitan Government proposes to convey an easement to UPH to permit construction of improvements above and in the margin of the Tenth Avenue North right-of-way; and,

WHEREAS, acceptance of the Deeds and approval of the agreements is in the best interest of the citizens of Davidson County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Deeds are hereby approved, and the Director of Public Property or his designee is authorized to accept and record them.

Section 2. The Participation Agreement is approved.

Section 3. The License Agreement is approved.

Section 4. The Easement Agreement is approved.

Section 5. The Metropolitan Mayor or his designee is further authorized to execute such documents as are customary and necessary to carry out the intent of this ordinance.

Section 6. Amendments to the Participation Agreement, the License Agreement, or the Easement Agreement may be approved by resolution of the Metropolitan Council.

Section 7. This Ordinance shall take effect from and after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

INTRODUCED BY:

Mark Sturtevant, Director
Department of Public Works

Steve Berry, Director
Public Property Administration

Scott Potter, Director
Department of Water and Sewerage Services

Member(s) of Council

APPROVED AS TO AVAILABILITY
OF FUNDS:

Talia Lomax-O'dneal, Director
Department of Finance

APPROVED AS TO FORM AND
LEGALITY:

Assistant Metropolitan Attorney